

Town of Lovettsville

Town Council Minutes of the August 21, 2014 Regular Meeting

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the Regular Meeting of the Lovettsville Town Council to order at 7:30 p.m. on August 21, 2014 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Council Members Present

- Mayor Robert Zoldos II
- Vice Mayor Michael Senate
- Council Member Kimberly Allar
- Council Member Tiffaney Carder
- Council Member Rodney Gray
- Council Member Jennifer Jones
- Council Member James McIntyre

Staff Present

- Town Manager Keith Markel
- Town Attorney Elizabeth Whiting
- Treasurer Lance Gladstone
- Town Clerk Harriet West

Mayor Zoldos announced that there would be no closed session.

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Presentations

There were none.

Comments from the Public

Mayor Zoldos called for comments from the public. Vice Mayor Senate read the rules for public comment.

Bing Lam, 2 Eisentown Drive, said he came to listen to the discussion about the Town Center proffer amendments. He said he hopes to hear that they will be better or equal to what was originally proffered. He discussed the demographics of the Town, especially the number of young children. He noted that the families that are here are entering their prime spending years and the Town will need services for those families.

Mayor Zoldos called for additional comments from the public. There were none.

Community Presentations

A. Loudoun County Sheriff's Office

Deputy LoPreto reported that he has been working on speeding enforcement in Town. Most of the people he has stopped lived in Lovettsville. The main areas for speeding include N. Berlin Pike, S. Berlin Pike, S. Loudoun Street, and East Broad Way.

There were no other community reports.

Town Commission and Committee Reports

A. Lovettsville Planning Commission

Manager Markel noted there will be two public hearings coming before the Planning Commission on ordinance amendments and there will be a joint work session on the Town Center.

B. Parks Committee

Vice Mayor Senate discussed the Town information sign and said he has been hearing a lot of interest about the community gardens.

C. We're In Committee

Councilwoman Carder said We're In will have a presence at Wild on the Green and the last Movie on the Green.

D. Oktoberfest Committee

Councilman McIntyre said he is working with Councilwoman Jones on incorporating Volunteer Fest with Oktoberfest. He gave an update on vendors, the Sunday morning church service, and logistics including tents, trolleys, and security.

Additions/Deletions/Modifications to the Agenda

Mayor Zoldos said he would like to table the Town Council Committee Assignments and add the following discussion items – water/sewer bill relief, gardening plots, flag poles, and school busing.

Minutes

A. Town Council Public Hearing and Regular Meeting – May 8, 2014

Motion: I move to accept the minutes of May 8, 2014 meeting as presented.
By: Council Member McIntyre
Second: Vice Mayor Senate
Aye: Council Member Allar, Carder, Gray, McIntyre, and Senate
Nay: None
Abstain: Council Member Jones
Absent: None

Report from the Treasurer

Treasurer Gladstone presented the June 2014 Financial Report.

Motion: I move to accept the June 2014 Treasurer's Report.
By: Council Member Gray
Second: Council Member Carder
Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

Staff Reports

A. Report from the Project Manager

There were no questions regarding the Project Manager's written report. Manager Markel said the final easement for the East Broad Way project has been received.

B. Report from the Zoning Administrator

Manager Markel reported that interviews were conducted with three candidates and one of the candidates had a follow up interview with the Mayor. He hopes to make an offer soon and bring this back to the Council for confirmation.

C. Report from the Town Attorney

There was no formal report from the Town Attorney.

D. Report from the Town Manager

Manager Markel said he would like to schedule a work session to discuss the Fats/Oils/Grease policy and the Town Office needs assessment. The meeting was scheduled for Wednesday, October 8 at 7:30 p.m.

Action/Discussion Items

A. Confirm Contract to Sell 12A East Pennsylvania Avenue

Manager Markel presented this item. The Council is being asked to confirm the contract to sell the house and land at 12A East Pennsylvania Avenue. The Town purchased the property for \$329,000 and will be selling it for \$320,000 after the property was subdivided and the Town acquired the adjoining acreage.

Motion: I move that the Lovettsville Town Council confirm the contract of sale between the Town and Ms. Vizblite Ilga Schulmeisters as ratified between the two parties on August 5, 2014, with a sale price of \$320,000 to be paid to the Town of Lovettsville for the house and land located at 12A East Pennsylvania Avenue and identified as Loudoun County Parcel Number 369107110000.

By: Vice Mayor Senate

Second: Council Member Allar

In response to a question from Councilman McIntyre, Manager Markel said he met with the buyer and her daughter and discussed potential uses for the property including Town Hall expansion, parking lot expansion, Oktoberfest activities, and other special events. Mayor Zoldos said this could serve many of the Town's needs and he thanked the Town Manager for moving this forward so quickly.

Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate

Nay: None

Abstain: None

Absent: None

B. Discuss Proposed Modifications to Town Charter

Manager Markel presented this item. The Mayor, Town Manager, and Town Attorney have reviewed the Town Charter and are recommending changes to clarify wording and to adjust for some of the changes at the state level. The Council is being asked to review these proposed changes and provide any suggestions or additional edits. The Town will then hold a public hearing on the final draft of the documents before moving forward with any legislative action through Delegate LaRock. Attorney Whiting reviewed the proposed changes including legal citations for the Town's corporate limits, providing notice for changes to water and sewer rates, procedures for filling vacancies and the appointment of the Vice Mayor, updating cross references, the appointment of certain Town officers and residency requirements, provisions for Council Members serving on other committees, and other statutory cross references (Attachment 1).

Mayor Zoldos said he has been in touch with Delegate LaRock about moving this forward to the General Assembly. Attorney Whiting discussed the next steps, which will include a public hearing on the proposed changes, before the proposed Charter amendments are submitted to Delegate LaRock's office to pre-file in December 2014.

C. Approval of Town Council Committee Assignments

This item was tabled until the next Town Council meeting.

D. Town Information Sign

Mayor Zoldos distributed a rendering of the Town Information Sign which would be used to provide information to the public about Town meetings and events (Attachment 2). The sign would be located on the Town Square. The rough estimate is \$12,000; however, they are awaiting the actual quote from Quail Run Signs. The Council discussed the dimensions, visibility, design (which mirrors the pavilion), and location of the sign. Following further discussion, the Council agreed to bring this item back for consideration at the meeting on September 2, 2014.

E. Resolution to Approve VRS Employer Rate for FY15-16

Treasurer Gladstone presented this item. The Council is being asked to approve a resolution establishing the Town's employer contribution rate for the Virginia Retirement System.

Motion: I move to adopt Resolution 2014-08-0001 at the certified rate of 6.36% (Attachment 3).

By: Council Member McIntyre

Second: Council Member Jones
Aye: Council Member Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

F. Special Work Session to Discuss the Town Center Commercial Project

The Council agreed to schedule a joint work session with the Planning Commission on September 2, 2014 at 7:30 p.m. regarding the Town Center Commercial Project. The meeting was tentatively scheduled at the Lovettsville Fire Station. Councilwoman Jones will check on the availability of the Fire Hall on that date.

Information Items

A. Water/Sewer Bill Relief

Councilwoman Jones said that, based on her experience working with local churches and representatives from the school system, she felt there may be a need to provide assistance to some Town residents with their utility bills. Mayor Zoldos asked Councilwoman Jones to prepare something more detailed about how the program could work and bring it back before the Council on September 11, 2014 for consideration. There was no objection from the Council.

B. Garden Plots at Quarter Branch Park

Councilwoman Jones said one of her neighbors is interested in establishing a community garden at the Quarter Branch Park. Vice Mayor Senate said the Garden Club has been involved in this and there may be a need to put up fencing to keep the deer out. Manager Markel said he has discussed this with Molly Hafner, who is involved with the Garden Club. He said the Garden Club is working on raising funds and getting quotes for the deer fence. He noted that this would require a Memorandum of Understanding between the Garden Club and the Town outlining roles and responsibilities. He suggested that this would be a good project for next spring. This item was referred to the Parks Committee to work out with the Garden Club.

C. Flag Poles

Mayor Zoldos said the Town was approached by two groups about installing a Virginia flag and Town flag on the Town Square. He noted that there have been concerns expressed about this taking away from the Veterans Memorial and suggested that this be referred to the Parks Committee.

D. School Busing

Mayor Zoldos said the parents group, Loudoun Easy Rider, has been working with the County on providing express bus service for children in Town. They are also looking at providing a site in Town for children who live outside of Town to be picked up and dropped off. The Lovettsville Elementary School is the best location; however, the school has turned down this request. Mayor Zoldos said he wanted everyone to be aware that they are now looking at other alternatives in Town, including private residences.

Comments from the Mayor and Town Council

Councilman McIntyre gave an update on Oktoberfest activities including senior citizen recognition, wiener dog races, and the Oktoberfest Royalty Competition.

Councilman Gray said he is looking forward to Oktoberfest.

Vice Mayor Senate expressed concerns about the floors at the Walker Pavilion collecting stone, dust, and cigarette butts. Manager Markel said they can add this to the maintenance staff duties.

Councilwoman Carder gave updates on the Potomac Partnership's effort to promote Oktoberfest, the upcoming Greater Brunswick Area Business Expo and "Booth Camp," the Brunswick Economic Development Commission meeting that she recently attended, and the first MayFest planning meeting.

Councilwoman Allar reminded everyone that Wild on the Green is this coming Sunday from 4:00-7:00 p.m. She encouraged her fellow Council Members to wear a Town event T-shirt, if possible. She said she has been using social media to promote the event and asked others to do the same.

Councilwoman Jones thanked staff for organizing the Town picnic.

Mayor Zoldos gave updates on National Night Out, the Town pool party, Movies on the Green, Roller Derby fundraising efforts for Muscular Dystrophy, Wild on the Green, traffic calming efforts in Town, tractor test drives, the purchase and resale of the house and property at 12A East Pennsylvania Avenue, holding baseball tournaments at the future community park, and the October 2014 Virginia Municipal League conference in Roanoke.

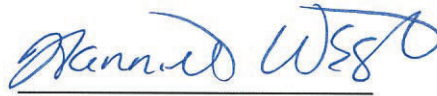
Closed Session

There was no closed session.

Adjournment

There being no further business before the Council, the meeting was adjourned at 9:44 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: February 12, 2015

Attachments:

1. Proposed Town Charter Amendments
2. Rendering of Town Information Sign
3. Resolution 2014-08-0001

Lovettsville Town Charter

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Sec. 1.1. Incorporation.

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The inhabitants of the territory comprised within the present limits of the Town of Lovettsville, as such limits are now or may hereafter be altered and established by law, shall constitute a body politic and corporate, to be known and designated as the Town of Lovettsville, Virginia, and as such shall have perpetual succession, may sue and be sued, plead and be impleaded, contract and be contracted with.

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Sec. 1.2. Corporate limits.

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The corporate limits or boundaries of the town are those established in Deed Book 6M at Page 406, et seq., of the land records of Loudoun County, Virginia, as extended by the annexation decree of the Circuit Court of Loudoun County, Virginia, entered on March 27, 1973, of record in the Clerk's Office of the Circuit Court for Loudoun County in Common Law Order Book 33 at Page 21, Deed Book 572 beginning at Page 545, and by any orders of the Circuit Court of Loudoun County heretofore or hereafter entered. Supply citations for boundary line adjustment that took in land from New Town Meadows. Does this include the incorporation of the retirement community land? I've never seen the paperwork for that. Keith to follow in Town files.

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Sec. 1.3. Corporate seal.

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The town may provide for the adoption of its corporate seal, which it may alter, amend or renew at its pleasure.

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Sec. 2.1. In general.

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The Town of Lovettsville shall have and may exercise all the powers and privileges conferred upon it by this charter, as well as all the powers and privileges conferred upon towns by the Constitution of Virginia and all other laws of the commonwealth. All powers set forth in chapter ~~198~~ of title 15.24 of the Code of Virginia, as now existing or as may be added to or amended from time to time ~~[Repealed, see now Code of Virginia, § 15.2-901 et seq.]~~, are hereby specifically conferred upon the Town of Lovettsville.

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Sec. 2.2. Eminent domain.

Generally. The powers of eminent domain which may be exercised by municipal corporations under the provisions of title 15.24 and title 25.1 of the

Code of Virginia ~~[Repealed, see now Code of Virginia, titles 15.2 and 25.1]~~ are hereby conferred upon the town.

Sec. 2.3. Acquisition of land or interest therein for exchange with public utility company.

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Whenever any public utility company owns any land or any easement, right-of-way or other interest in land which the town deems necessary and intends to acquire for any public purpose, which land, easement, right-of-way or other interest in land owned by such public utility company is devoted to a public use, the town may acquire by gift, purchase or by the exercise of its power of eminent domain additional or a like easement, right-of-way or interest in land adjacent to or approximately adjacent to such land needed and proposed to be acquired by the town. The town may then convey the same to the public utility company for use by such company in lieu of the land, easement, right-of-way or other interest in land theretofore owned by it but needed by the town. The condemnation of such land, easement, right-of-way or other interest in land to be conveyed to any public utility company shall be governed by the procedures prescribed in this charter.

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Sec. 2.4. Water and sewer services.

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- A. *Generally.* The town shall have the power and authority to acquire, establish, maintain, operate, extend and enlarge waterworks and sewage disposal plants within or without the corporate limits of the town; and to establish and enforce reasonable rates, rules and regulations for the use of same, any or all of which rates, rules and regulations the council may alter ~~from at any time to time without notice.~~ *Do we want to propose complying with the provisions of Chapter 21? We have been complying with the notice requirements in advance of rate changes in any event and, in my judgment, "at any time without notice" may not make it through the charter amendment process intact, I would substitute "from time to time".*
- B. *Rates.* In operating public water and sewer services, the town may charge a different rate for services furnished to customers outside the corporate limits of the town from the rates charged for similar services to customers within the corporate limits.

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- C. *Unpaid charges.* The town may provide by ordinance that all unpaid water and sewer service charges and interest thereon shall constitute a lien on the real estate served by the water or sewer line through which the service is provided.

Sec. 2.5. Power to incur debts and contract loans.

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- A. The council, within the limits of the constitution of this commonwealth and in accordance with the provisions of general law, may, in the name of and for the use of the town, contract loans or cause to be issued certificates of debt, notes or bonds.
- B. The council shall have the power to negotiate temporary loans, in anticipation of taxes, for the purpose of paying current expenses of the town, such loans to be evidenced by bonds or notes bearing interest at a rate permitted by general law for towns, and such bonds or notes shall be payable within one year from the date of issue out of the current revenue of the year in which the same are issued. No such temporary loan shall in the aggregate exceed 75 percent of the town's income of the previous year.
- C. All bonds and other evidences of indebtedness of the town shall be signed by the mayor and countersigned by the town clerk.

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Sec. 3.1. Conduct of municipal elections.

All elections shall be conducted pursuant to and in accordance with the general laws governing the holding of elections in towns.

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Sec. 3.2. Council.

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- A. The legislative powers of the town shall be vested in a town council, composed of six members, who shall be elected as specified herein.
- B. Council members shall be elected to four-year terms, on the date specified by general law for municipal elections, in the manner herein provided:

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- i. Three council members shall be elected in the municipal elections held in 1984, and in municipal elections held every four years thereafter.
 - ii. Three council members shall be elected in the municipal elections held in 1986, and in municipal elections held every four years thereafter.
- C. The council members so elected shall qualify and take office on July 1, following their election, and shall continue to serve until their successors are duly elected, qualify and assume office.
- D. Any person qualified to vote in town elections shall be eligible for the office of councilman.
- E. Vacancies in the council shall be filled for the unexpired term by a majority vote of the remaining members of the council from among the qualified voters of the town. For the purposes of this section, no distinction shall be made between a member elected to the council and a member who has been appointed to the council except as to voting on those matters set forth in Article VII, Section 7 of the Constitution of Virginia. Upon any matter except those matters set forth in Article VII, Section 7 of the Constitution of Virginia coming before the council, the votes of all members shall be of the same dignity, whether a member has been elected or appointed.
- F. The members of the council in office at the time of the passage of this Act shall continue until the expiration of the terms for which they were elected, or until their successors are duly elected, qualify and assume office.

Sec. 3.3. Mayor.

- A. Powers and duties.

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1. The mayor shall be the chief executive officer of the town and shall be recognized as the head of town government for all ceremonial purposes, the purpose of military law and the service of civil process; he shall have and exercise all power and authority conferred by general law on the mayors of towns not inconsistent with this charter; he shall authenticate by his signature such documents as the council, this charter or the laws of the commonwealth shall require; and he shall perform such other duties consistent with his office as may be imposed by the council.
2. The mayor shall preside at all meetings of the council, but shall have no vote except in case of tie; he shall have the power to veto resolutions, acts and ordinances of the council, which resolutions, acts and ordinances may be passed over such veto by a two-thirds vote of the entire council; and he shall from time to time recommend to the council such measures as he may deem necessary for the welfare of the town.
3. ~~Except as otherwise provided herein or by law, t~~The mayor shall have the authority to appoint such officers and committees ~~employees as specifically authorized herein or~~ as are necessary for the proper administration of the affairs of the town, but shall report each appointment to the council for confirmation at the next meeting thereof following any such appointment; the mayor shall see that the duties of the various town officers are faithfully performed, and he shall have the power to suspend any such officer for misconduct in office or neglect of duty until the next regular or special meeting of the council, when the decision of the council shall be final.

B. Election. In each even-numbered year, on the date specified by general law for municipal elections, a mayor for the Town shall be elected for a term of two years. The person so elected shall so qualify and take office on July 1, following election. Mayors shall continue to serve until their successors are duly elected, qualify and assume office.

C. Qualifications. Any person qualified to vote in town elections shall be eligible for the office of mayor.

D. Vacancies. A vacancy in the office of mayor shall be filled for the unexpired term by a majority vote of the members elected to the council from among the qualified voters of the town. A member of the council shall not be qualified to fill a vacancy in the office of mayor. For the purposes of this section, no distinction shall be made between a person elected as mayor and a person who has been appointed as mayor except as to voting on those matters set forth in Article VII, Section 7 of the Constitution of Virginia. Upon any matter except those matters set forth in Article VII, Section 7 of the Constitution of Virginia coming before the council, the votes of all members shall be of the same dignity, whether a member has been elected or appointed. Eliminate prohibition on appointing a council member to fill out the term of a mayor by repealing the second sentence?

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E. The mayor in office at the time of the passage of this Act shall continue in office until the expiration of the term for which he was elected, or until his successor is duly elected, qualifies and assumes office.

Sec. 3.4. Vice-mayor.

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A. The council ~~shall~~ may elect from among its members a vice-mayor, who shall preside at council meetings in the absence of the mayor. Election of the vice-mayor shall be made at the organizational meeting of the Council following the regular election of mayor and council members. Note

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Leesburg's version of this: "At its first regular meeting after July one in the year a mayor is elected, the council shall elect from among its members a vice-mayor for a term of two years who shall act as mayor during the mayor's absence or disability. The mayor pro tempore in office at the effective date of this charter amendment is hereby continued in office as vice-mayor for the term of office for which he was elected."

- B. In the event of the disability or absence of the mayor, his place may be filled and his duties discharged by the vice-mayor.

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Sec. 3.5. Meeting.

- A. All meetings of the council shall be public, unless an closed executive session is called according to law. No official action shall be taken by the council while in closed executive-session.

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A.

- B. The council, by ordinance, shall adopt such rules as it may deem proper for the regulation of its proceedings and the time of its meetings. It shall hold at least suchone regular monthly-meetings as may be required by § 15.2-1416 of the Code of Virginia. Special meetings may be called at any time by the mayor or by three members of the council, provided all members of the council are actually notified of such meeting.

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- C. A majority of the council shall constitute a quorum for the transaction of business. Each member of the council shall have one vote.

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Sec. 3.6. Compensation.

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Compensation for members of the council and the mayor shall be set by the council. Any increases in the compensation of the mayor or members of the council may become effective during such mayor's or council member's term of office. This is contrary to the general rule. Change?

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Sec. 4.1. Town officers.

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- A. *Town clerk.* A town clerk shall be appointed who shall be the clerk of the council and shall keep the journal of its proceedings and shall record all ordinances and resolutions in a book or books kept for that purpose. All such records shall be public records, stored and filed at the town's offices and open to inspection at any time during the town's regular office hours. The town clerk ~~may be a resident of the town and~~ shall serve ~~at the pleasure of the town council~~ for a term coincident with that of the mayor.
- B. *Town treasurer.* A town treasurer shall be appointed who shall receive all money belonging to the town and keep correct accounts of all receipts from all sources and of all expenditures; he shall be responsible for the collection of all license fees, taxes, levies and charges due to the town and shall disburse the funds of the town as the council may direct. The town treasurer ~~may be a resident of the town and~~ shall serve ~~at the pleasure of the town council~~ for a term coincident with that of the mayor.
- C. *Town manager.* A town manager, in the discretion of the mayor and council, may be appointed who shall serve as the chief administrative officer of the town. The town manager ~~need not be a resident of the town and~~ shall serve at the pleasure of the ~~mayor and~~ council.
- D. *Other town officers.* The mayor, in his discretion and with the approval of the council, may appoint a town attorney, a town zoning administrator and such other town officers as may be deemed appropriate. Such officers ~~need not be residents of the Town and~~ shall serve at the pleasure of the ~~mayor and~~ council, unless the council shall provide otherwise.
- E. *Duties, etc.* Each officer shall have such duties as are specified by the council not inconsistent with the constitution and general laws of the commonwealth and this charter, shall execute such bonds as may be

prescribed by resolution of the council, and shall receive such compensation as the council may prescribe.

- F. ~~[Dual office holding.]~~ The same person may be appointed to more than one office; provided, however, that no person may serve both as an officer of the town and as mayor or member of the council except as otherwise provided in this charter or by general law. This helps reconcile this provision with existing section 4.2.D.

(Acts 2005, ch. 533, § 1)

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Sec. 4.2. Boards, commissions and committees.

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- A. Planning commission. The council shall appoint a town planning commission which shall have such powers and duties as are provided by general law.
- B. Board of zoning appeals. The council shall appoint the members of the board of zoning appeals for the town, which shall consist of three or five members, and prescribe their terms of office and qualifications. The board of zoning appeals shall have such powers and duties as are provided by general law.
- C. Committees. The council, in its discretion, may establish such committees, whether standing or ad hoc, as it may deem appropriate, to study and report to the council on those matters referred to such committees by the council. The report of any such committee shall not be binding upon the council, but shall be advisory only.
- D. ~~[Membership.]~~ Except as otherwise provided by law, mMembers of the council and the mayor are eligible to serve as members of any town commission, committee or group; ~~provided, however, that they shall have no vote in any official matter before any such commission, committee or group; although they may participate fully in all debate and discussion.~~ Members of the council and the mayoral so serving shall be entitled to

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participate fully as voting members of such commission, committee or group except as otherwise provided by law.

- E. *Compensation.* The council may provide for compensation to such of their boards, commissions or committees performing special work to the extent that may be reasonable and fair.

Sec. 4.3. Fiscal control.

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- A. *Fiscal year.* The fiscal year of the town shall begin on July 1, and end on June 30, ~~unless and until changed by ordinance.~~ The July 1-June 30 fiscal year is mandatory.

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- B. *Fiscal control [authority].* The council shall have the power to control and manage the fiscal affairs of the town and to make such ordinances, orders and resolutions relating to the same as it may deem necessary. After the close of each fiscal year, the council shall cause to be made an independent audit of the accounts, books, records and financial transactions of the town either by the auditor of public accounts of the commonwealth or by an independent certified public accountant to be selected by the council. The report of such audit shall be filed within such time as the council shall specify, and one copy thereof shall always be available for public inspection in the town's offices during the town's regular business hours.

Sec. 5.1. Continuity.

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- A. All ordinances now in force in the Town of Lovettsville, not inconsistent with this charter, shall remain in force until altered, amended or repealed by the council.
- B. The present officers of the town shall continue in office at the pleasure of the council, or until their successors have been duly appointed.

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Sec. 5.2. Historic districts.

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Notwithstanding any other provision of law, the council may establish one or more historic districts within the town for the purpose of promoting the general

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welfare, education and recreational pleasure of the public through the perpetuation of those general areas, individual structures or premises which have been officially designated by the council as having historical or architectural significance. The establishment of historic districts shall be by amendment of the town's zoning ordinance and consistent with the purposes, criteria and procedures set forth in § 15.2-2306~~1-503.2~~ of the Code of Virginia ~~[Repealed,~~ see now Code of Virginia, § 15.2-2306].

Sec. 5.3. Severability.

If any part of this Act shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect or invalidate the remainder of the Act.

FOOTNOTE(S):

—(1)—

Editor's note—Printed herein is the town Charter as enacted by Acts 1983, ch. 520, § 1. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original. Obvious misspellings have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same style of expression of numbers in text as appears in the Code of Ordinances has been used. A consistent scheme of capitalization has also been used. Additions for clarity are indicated by brackets. The town was established by an Act adopted March 15, 1836. It was incorporated by Acts 1842, ch. 191 and Acts 1876, ch. 184. The town ceased to function for a number of years and revised its activities by order of the Circuit Court on December 29, 1949. A charter was established in Acts 1968, ch. 53. [\(Back\)](#)

State Law reference—Local government charters, Code of Virginia, § 15.2-200 et seq. [\(Back\)](#)

CHARTER COMPARATIVE TABLE

▲ This table shows the location of the section amendments to the Charter. The
Charter is derived from Acts 1983, ch. 520, § 1.

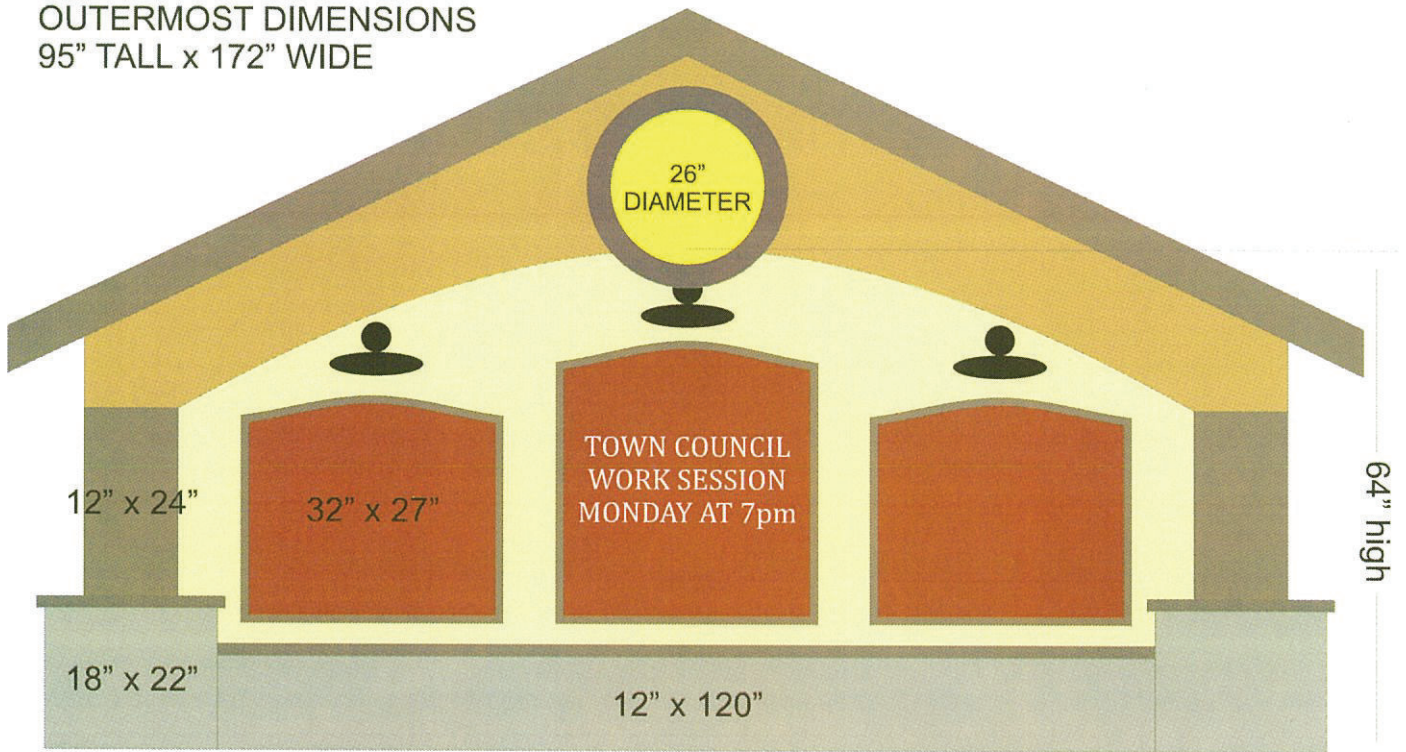
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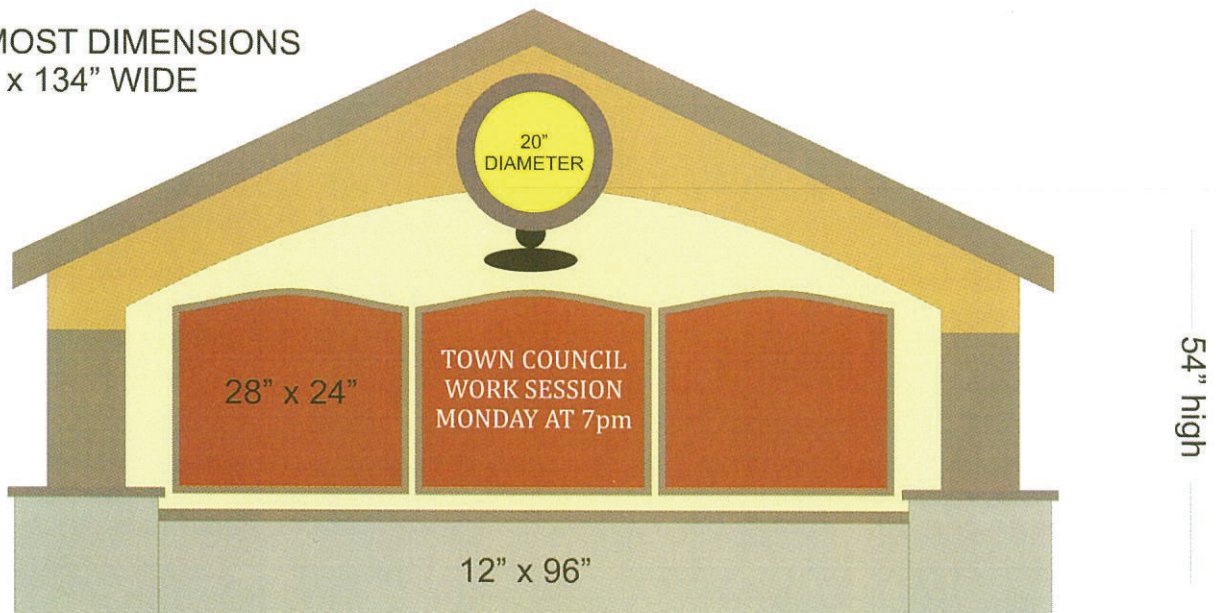
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OUTERMOST DIMENSIONS
95" TALL x 172" WIDE



OUTERMOST DIMENSIONS
78" TALL x 134" WIDE



Town of Lovettsville

**RESOLUTION 2014-08-0001: Employer Contribution Rates for Counties, Cities, Towns, School Divisions and Other Political Subdivisions
(In accordance with the 2014 Appropriation Act Item 467(I))**

MOTION: McIntyre

SECOND: Senate

BE IT RESOLVED, that the Town of Lovettsville does hereby acknowledge that its contribution rates effective July 1, 2014 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the Town of Lovettsville does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2014:

(Check only one box)

☒ The Certified Rate of 6.36% ☐ The Alternate Rate of _____%; and

BE IT ALSO RESOLVED, that the Town of Lovettsville does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of Town of Lovettsville are hereby authorized and directed in the name of the Town of Lovettsville to carry out the provisions of this resolution, and said officers of the Town of Lovettsville are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Lovettsville for this purpose.

VOTE:

Ayes: Allar, Carder, Gray, Jones, McIntyre, and Senate

Nays: None

Abstentions: None

Absent for vote: None

APPROVED: August 21, 2014


Robert Zoldos II, Mayor

CERTIFICATE

I, Harriet West, Clerk of the Town of Lovettsville, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Lovettsville Town Council held at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, Virginia at 7:30 p.m. on August 21, 2014. Given under my hand and seal of the Town of Lovettsville this 28 day of August, 2014.


Clerk

The German Settlement